Case 15-12744 Doc 1 Filed 04/09/15 Entered 04/09/15 15:36:27 Desc Main Document Page 1 of 9

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	nates Bankrup 1 District of I		Taylor C				OLUNTA	ARY PETI	IION		
Name of Debtor (if individual, enter Last, Fi			<u>کننسا</u>	Name of Joi	nt Debtor	(Spouse) (Last,	First, Mide	dle):	osniebski. G	ostostik (Prilife)	recessor States (1965)
Vargas, Erica All Other Names used by the Debtor in the la (include married, maiden, and trade names):	ast 8 years					l by the Joint Del den, and trade na		last 8 years		· .	
Last four digits of Soc. Sec. or Individual-Ta (if more than one, state all): 7905	xpayer I.D. (ITIN	I)/Compl	lete EIN	Last four di		e. Sec. or Individ e all):	ual-Taxpa	yer I.D. (ITI	N)/Co	omplete	EIN
Street Address of Debtor (No. and Street, Cit 603 Parkside Ave	_			Street Addre	ess of Joir	nt Debtor (No. an	d Street, C	City, and Sta	te).		
West Chicago, IL 601625 601	かり	ZIP CO	DE]	<u> </u>				Z	IP CC	DE	
County of Residence or of the Principal Plac	e of Business:	<i></i>		County of R	esidence	or of the Principa	al Place of	Business:			
Kane Mailing Address of Debtor (if different from	street address):			Mailing Address of Joint Debtor (if different from street address):							
		ZIP CO	DE					Z	IP CC	DDE	
Location of Principal Assets of Business Del	btor (if different f			<u> </u>	· · · · · · · · · · · · · · · · · · ·			7.	IP CO	DE	
Type of Debtor (Form of Organization)		(Chec	Nature of ck one box.)	Business		Chapter the l	r of Banki Petition is	ruptcy Code Filed (Chee	e Und	er Whi	ch
(Check one box.) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above this box and state type of entity below			Health Care Busi Single Asset Rea 11 U.S.C. § 101(Railroad Stockbroker Commodity Brok Clearing Bank Other	l Estate as def 51B)	ined in	Chapter Chapter Chapter Chapter Chapter	7 9 11 12	Chap Reco Main Chap Reco	ter 15 gnitio Proce ter 15 gnitio	Petition n of a Feeding Petition n of a Feroceed	oreign n for oreign
Chapter 15 Debtors			Tax-Exem (Check box, if					ture of Debi			
Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:			Debtor is a tax-exempt organization under title 26 of the United States Code (the Internal Revenue Code).		es	Debts are primarily consumer debts, defined in 11 U.S.C. primarily sylvations of the personal, family, or household purpose." Debts are debts are primarily business debts.					
Filing Fee (Cl	neck one box.)			Check one	box:	Chapt	er II Deb	tors			
Full Filing Fee attached.				Debte	or is a sma	ill business debto small business d	or as defino ebtor as de	ed in 11 U.S efined in 11	.C. § U.S.C	101(51I !. § 101	D). (5HD).
Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). Check all applicable boxes: A plan is being filed with this petition Acceptances of the plan were solicited prepetition from one or more classes								
Statistical/Administrative Information				of cre	ditors, in	accordance with	11 U.S.C.	. § 1126(b).			E IS FOR
Debtor estimates that funds will Debtor estimates that, after any edistribution to unsecured creditor	exempt property is	istributio s exclude	on to unsecured cre ed and administrati	editors. ve expenses p	aid, there	will be no funds	available	for t	CO		NORTH
	200-999 1,000 5,000		5,001-] 10,001- 25,000	25,001- 50,000	50,001- 100,000		Over (0)		APR	STATES HERN D
\$0 to \$50,001 to \$100,001 to \$50,000 \$100,000 to			\$10,000,001 to \$50	\$50,000,001 to \$100 million	\$100,00 to \$500 million	0,001 \$500,00 to \$1 bi	00,001	More than	+97EAD	09 2015	
Estimated Liabilities		00,001 0	\$10,000,001 to \$50	50,000,001 \$50,000 \$100 million	\$100,00 to \$500 million	0,001 \$500,00 to \$1 bi	100,00	More than	TOWN.		CY COURT

Case 15-12744 Doc 1 Filed 04/09/15 Entered 04/09/15 15:36:27 Desc Main

Page 2 of 9 Document B1 (Official Form 1) (04/13) Voluntary Petition Name of Debtor(s) Erica Vargas (This page must be completed and filed in every case.) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.) Date Filed: Case Number: Location Where Filed: Case Number: Date Filed: Location Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Date Filed: Case Number Name of Debtor Relationship: Judge: District: Exhibit B Exhibit A (To be completed if debtor is an individual (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) whose debts are primarily consumer debts.) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b). Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D, completed and signed by the debtor, is attached and made a part of this petition. If this is a joint petition: Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately V preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has П no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

Entered 04/09/15 15:36:27 Desc Main Case 15-12744 Doc 1 Filed 04/09/15 Page 3 of 9 Document Page 3 B1 (Official Form 1) (04/13) Name of Debtor(s): Erica Vargas Voluntary Petition (This page must be completed and filed in every case.) Signatures Signature of a Foreign Representative Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and correct. and that I am authorized to file this petition. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 (Check only one box.) or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. ☐ I request relief in accordance with chapter 15 of title 11, United States Code. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I Certified copies of the documents required by 11 U.S.C. § 1515 are attached. have obtained and read the notice required by 11 U.S.C. § 342(b). Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the I request relief in accordance with the chapter of title 11, United States Code, chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. specified in this petition. Signature of Debtor (Signature of Foreign Representative) X Signature of Joint Deptor 622 - 161 (Printed Name of Foreign Representative) Telephone Number (if not represented by attorney) Date Date Signature of Non-Attorney Bankruptcy Petition Preparer Signature of Attorney I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as X defined in 11 U.S.C. § 110, (2) I prepared this document for compensation and have Signature of Attorney for Debtor(s) provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or Printed Name of Attorney for Debtor(s) guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor Firm Name notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached. Address Printed Name and title, if any, of Bankruptcy Petition Preparer Telephone Number Date Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) in the schedules is incorrect. Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true Address and correct, and that I have been authorized to file this petition on behalf of the Signature

The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both, 11 U.S.C. § 110; 18 U.S.C. § 156.

B 1D (Official Form 1, Exhibit D) (12/09)

UNITED STATES BANKRUPTCY COURT

Northern District of Illinois

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In re Erica Vargas	Case No.
Debtor	(if known)

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- ☐ 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- ☐ 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.

Case 15-12744 Doc 1 Filed 04/09/15 Entered 04/09/15 15:36:27 Desc Main Document Page 5 of 9

B 1D (Official Form 1, Exh. D) (12/09) - Cont.

Page 2

■ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

This is an emrgency petition

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

be dismissed if the court is not satisfied with your reasons for filing your bankruptcy cas without first receiving a credit counseling briefing.	ie
☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]	
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mentillness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); ☐ Active military duty in a military combat zone.	ıtal
5. The United States trustee or bankruptcy administrator has determined that the crecounseling requirement of 11 U.S.C. § 109(h) does not apply in this district.	dit
I certify under penalty of perjury that the information provided above is true and correct.	d

Signature of Debtor: <u>FRICH VARGAS</u>

Date: 04/08/2015

ERICA VARGAS CREDITORS

WESLL FARGO HOME MORTGAGE

PO BOX 14411 DES MOINES, IA 50306-9411 ACCT # 7916299

PATRICK BURNS PIERCE AND ASSOCIATES PC

ONE NORTH DEARBORN SUITE 1300 CHICAGO, IL 60602 CASE # 12 CH 5180 Doc 1

Filed 04/09/15 Document Entered 04/09/15 15:36:27 Page 7 of 9

Desc Main

B 201B (Form 201B) (12/09)

UNITED STATES BANKRUPTCY COURT

Notthern Di	strict of Illinois	
re Erica Vargas	Case No.	· .
Debtor	Chapter 13	
	CE TO CONSUMER DEBTOR(S HE BANKRUPTCY CODE	S)
Certification of [Non-Attorn 1, the [non-attorney] bankruptcy petition preparer signing ached notice, as required by § 342(b) of the Bankruptcy Code.	ey] Bankruptcy Petition Preparer the debtor's petition, hereby certify that I del	ivered to the debtor the
inted name and title, if any, of Bankruptcy Petition Preparer Idress:	Social Security number (If the preparer is not an individual, s number of the officer, principa partner of the bankruptcy petit by 11 U.S.C. § 110.)	tate the Social Security al, responsible person, or
gnature of Bankruptcy Petition Preparer or officer, incipal, responsible person, or partner whose Social curity number is provided above.		
Certification I (We), the debtor(s), affirm that I (we) have received and ode.	on of the Debtor I read the attached notice, as required by § 34	2(b) of the Bankruptcy
	X ENCA VAFGAS Signature of Debtor	04/08/2015
ica Vargas	Cincolana - F.Dahtan	Date
inted Name(s) of Debtor(s)	Signature of Deolor	Date
inted Name(s) of Debtor(s)		<u> </u>
rica Vargas inted Name(s) of Debtor(s) ase No. (if known)	XSignature of Joint Debtor (if any)	

Instructions: Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) only if the certification has NOT been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

UNITED STATES BANKRUPTCY COURT

NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$75 administrative fee, \$15 trustee surcharge: Total fee \$335)
Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny

Form B 201A, Notice to Consumer Debtor(s)

Page 2

your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$75 administrative fee: Total fee \$310)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1,167 filing fee, \$550 administrative fee: Total fee \$1,717)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$75 administrative fee: Total fee \$275)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure.